



STATE OF IDAHO  
DEPARTMENT OF LABOR  
317 W. MAIN STREET  
BOISE, IDAHO 83735-0910



# IDAHO MINIMUM WAGE LAW

**SECTION 44-1502, IDAHO CODE:** Except as hereinafter otherwise provided, no employer shall pay to any of his employees any wages computed at a rate of less than:

**\$5.15 PER HOUR COMMENCING SEPTEMBER 1, 1997**

**TIPPED EMPLOYEES:** The tip credit, which an employer may claim with respect to "tipped employees," shall not be an amount in excess of 35% of the applicable minimum wage. Employers of "tipped employees" must pay a cash wage of at least \$3.35 per hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combined with the employer's cash wage do not equal the minimum hourly wage, the employer must make up the difference.

A "tipped employee" means any employee engaged in an occupation in which he customarily and regularly receives more than thirty dollars (\$30.00) a month in tips.

**OPPORTUNITY WAGE:** Employees under 20 years of age may be paid \$4.25 per hour during their first 90 consecutive calendar days of employment with an employer.

**SECTION 44-1504, IDAHO CODE, EXEMPTIONS FROM MINIMUM WAGE:** The provisions of this act shall not apply to any employee employed in a bona fide executive, administrative, or professional capacity; to anyone engaged in domestic service; to any individual employed as an outside salesperson; to seasonal employees of a non-profit camping program; or to any child under the age of sixteen (16) years working part-time or at odd jobs not exceeding a total of four (4) hours per day with any one (1) employer; or any individual employed in agriculture if; such employee is the parent, spouse, child or other member of his employer's immediate family; or such employee is older than sixteen (16) years of age and is employed as a harvest laborer and is paid on a piece-rate basis in an operation which has been, and is customarily and generally recognized as having been paid on a piece-rate basis in the region of employment, and commutes daily from his permanent residence to the farm on which he is so employed, and has been employed in agriculture less than thirteen (13) weeks during the preceding calendar year; or such employee is sixteen (16) years of age or under and; is employed as a harvest laborer, is paid on a piece-rate basis in an operation which has been, and is customarily and generally recognized as having been paid on a piece-rate basis in the region of employment, and is employed on the same farm as his parent or person standing in the place of his parent, and is paid at the same piece-rate basis as employees over the age of sixteen (16) years are paid on the same farm; or such employee is principally engaged in the range production of livestock.

**SECTION 45-606, IDAHO CODE:** All wages due a separated employee must be paid the earlier of the next regularly scheduled payday or within 10 days of separation, weekends and holidays excluded. If the separated employee makes a written request for earlier payment, all wages then due must be paid within 48 hours, weekends and holidays excluded.

The Wage and Hour Section of the Idaho Department of Labor is responsible for the administration of the Idaho Minimum Wage and the Wage Payment Act.

For further information, "A Guide to Idaho Labor Laws" is available at the Idaho Department of Labor, local Job Service offices, or you may call Coeur d'Alene (208) 769-1558 Ext. 326; Boise (208) 332-3579; Pocatello (208) 235-5458; or Burley (208) 678-5518 Ext. 3128. TTY 1-800-377-3529 (through Idaho Relay Service).

## NOTICE TO EMPLOYERS:

THIS OFFICIAL NOTICE MUST BE POSTED IN A CONSPICUOUS PLACE, IN OR ABOUT THE PREMISES WHERE ANY PERSON SUBJECT TO THE ACT IS EMPLOYED, OR IN A PLACE ACCESSIBLE TO EMPLOYEES (SECTION 44-1507, IDAHO CODE).

EMPLOYMENT OF WORKERS WITH DISABILITIES OR APPRENTICES MUST BE IN CONFORMANCE WITH SECTION 44-1505 AND 44-1506, IDAHO CODE.

FOR ADDITIONAL POSTERS OR INFORMATION, PLEASE CONTACT THE ADDRESS STATED ON THIS BULLETIN OR ACCESS OUR WEBSITE AT <http://www.labor.state.id.us>